



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

June 14, 2010

Kevin D. Martin, Forest Supervisor
Umatilla National Forest
2517 S.W. Hailey Avenue
Pendleton, Oregon 97801

Re: U.S. Environmental Protection Agency (EPA) comments for the Umatilla National Forest (Forest) Cobbler II Timber Sale and Fuels Reduction Project (Project) Draft Environmental Impact Statement (DEIS). (EPA Project Number: 09-073-AFS)

Dear Mr. Martin:

This review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Under our policies and procedures, we evaluate the environmental impact of the proposed action and the adequacy of the impact statement. We have assigned a Lack of Objections (LO) rating to the DEIS. A copy of the EPA rating system is enclosed.

We appreciate many of the design elements common to all action alternatives and mitigation measures that you have developed and disclosed for the Project. Components of your project which we especially support include the following.

- Careful consideration of impacts from project activities in Riparian Habitat Conservation Areas (RHCAs) – along with your proposal to avoid harvest in RHCAs.
- Your plans to increase the amount of Old Forest within the Historical Range of Variation (HRV) as well as your intention to avoid activities in designated C1-Dedicated Old Growth management areas.
- Project specific mitigation measures for Bolander's Spikerush, a sensitive plant species.


These components - as well as many other important considerations - reduce the potential for adverse environmental impacts from 2,500 acres of commercial harvest, 1,900 acres of non-commercial thinning and 8,000 acres of prescribed fire, 115 acres of hardwood restoration and 275 acres of meadow restoration.

While we have not identified any potential environmental impacts requiring substantive changes to the proposal, we recommend you address the following issues in the Final EIS to more fully disclose impacts and protect the environment. First, we agree that managing and maintaining desired HRV and Fire Regime Condition Class goals– without the assistance of natural fires – requires continuous activity (DEIS, G-124), to more fully disclose and consider the implications of a forest management strategy which requires continuous activity, we

recommend the Final EIS discuss the likely frequency and intensity of future activities which would be required to maintain project achievements. Second, existing problems and degrading roads pose a risk to project area Forest resources – as well as public safety. Please consider our enclosed detailed comments on the transportation system for insight into our perspective on project level NEPA analyses (like the Cobbler II DEIS) and efforts to achieve a minimum and sustainable road system. Our enclosed comments also respond to your well-researched “Climate Change and Carbon Analysis” section.

Thank you for this opportunity to comment and if you have any questions or concerns please contact Erik Peterson of my staff at (206) 553-6382 or by electronic mail at peterson.erik@epa.gov. You may contact me at (206) 553-1601.

Sincerely,

A handwritten signature in black ink, appearing to read "Christine Reichgott for".

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure:

EPA Region 10 Detailed Comments on the Umatilla National Forest Cobbler II Timber Sale and
Fuels Reduction Project Draft Environmental Impact Statement
EPA Rating System for Draft Environmental Impact Statements

**EPA REGION 10 DETAILED COMMENTS ON THE UMATILLA
NATIONAL FOREST COBBLER II TIMBER SALE AND FUELS REDUCTION
PROJECT, DRAFT ENVIRONMENTAL IMPACT STATEMENT**

Transportation System

We appreciate that a relatively high proportion (in comparison to many forests) of project area roads are located in uplands. While this situation generally decreases road related water quality concerns, the DEIS notes that general and specific road related environmental concerns remain. For example, the Elbow Creek Sub-watershed has a high road density (3.68 miles of open and closed roads per square mile) and many maintenance Level 1 roads, "need log out, brushing, surface rock replacement, installation of cross drains, and ditches cleaned." (DEIS, 3-118). Also, Forest Road (FR) 6222, 6214 and 6219's blocked culvert, saturated road beds, clay surfaces and shallow ground flow dams appear to present direct and indirect environmental risks.

We appreciate the Forest's proposed improvements to FR 6222 and believe this Project could present additional opportunities to address road related problems. Addressing identified problems with FR 6214 and FR 6219 may present one set of additional opportunities. Other opportunities may include additional road closures and decommissioning. Additional road closures and/or decommissioning may be more consistent with full environmental protection and the intent of the Forest Service's Final Travel Management Rule at 36 CFR § 212.5 (b) (1) and 36 CFR § 212.55 (a).

To address the opportunities to achieve a minimum road system, we recommend that the Final EIS discuss how this Project's construction of new temporary and permanent roads (even if they are short segments) is consistent with the intent of the Final Travel Management Rule (especially sub-part A). Also, we strongly support the obliteration of unneeded roads and recommend the Final EIS include more information on how the Forest has already accomplished this (See "6." at DEIS, p. 2-37).

The Travel Analysis chapter of the Forest Service Handbook (FSH) – FSH 7709.55, Chapter 20, provides useful guidance on the process to identify and designate a minimum system and we strongly support travel management decisions that are informed by and incorporate documentation similar to that described in section 21.6 of FSM 7709.55. Section 21.6 states, "Document travel analysis in a report including: 1. A map and prioritized list of the risks and benefits associated with changing the part of the forest transportation system under analysis, and a map and prioritized list of opportunities for addressing those risks;..."

Climate Change

We appreciate your well researched section on climate change. You have addressed important issues associated with what we believe is a need to adapt to climate change impacts, as well as participate in the mitigation of greenhouse gas emissions. We agree that, "Increased emphasis on current efforts to reduce the impact of existing stressors on National Forests represents a "no regrets" strategy." (DEIS, p. 3-149). In addition to managing for a generally resilient forest, we support your efforts to identify silvicultural activities which anticipate the future effects of climate change (DEIS, Table 3-63). We also support your exploration of the "Compatibility of Proposed Forest Vegetation Management Activities with Carbon

Sequestration” (DEIS, p. 3-155). We encourage you to continue to develop an increased understanding of carbon sequestration implications from various vegetation management activities. Over time we are hopeful that managers will be able to use this understanding to make informed project level decisions which maximize the overall climate change mitigation potential of our Nation’s forests.

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment, February, 1987.